



# Town of Lancaster

## TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

May 21, 2014

Planning Board Members:

Neil Connelly, Chairman  
Rebecca Anderson  
Anthony Gorski  
Joseph Keefe  
Lawrence Korzeniewski  
Kristin McCracken  
Melvin Szymanski

Town Board Members:

Dino Fudoli, Supervisor  
John M. Abraham  
Mark Aquino  
Ronald Ruffino, Sr.  
Donna G. Stempniak

Engineering Consultant:

Robert Harris, Wm. Schutt & Associates

Town Attorney:

John M Dudziak

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held May 21, 2014. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil Connelly  
Planning Board Chairman

NC:mn  
Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the twenty-first day of May 2014 at 7:30 P.M, and there were present:

PRESENT: Neil Connelly, Chairman  
Rebecca Anderson, Member  
Anthony Gorski, Member  
Joseph Keefe, Member  
Lawrence Korzeniewski, Member  
Kristen McCracken, Member  
Melvin Szymanski, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.  
Jeffrey H. Simme, Building & Zoning Inspector  
Kevin Loftus, Deputy Town Attorney  
Mary Nowak, Recording Secretary

Meeting called to order by Chair Connelly at 7:30 P.M.

Pledge of Allegiance led by Town Engineer Robert Harris.

Minutes – A motion was made by Kristen McCracken to approve the minutes from the May 7, 2014 Planning Board Meeting. Motion seconded by Melvin Szymanski and unanimously carried.

Communications List May 21, 2014

- 5.21.01 Letter from Angelo Natale dated 5/6/14 noting that the applicant intends to lease the 175 senior housing units at 375 and 391 Harris Hill Rd. to eligible tenants at market rates for minimum of 12 months.
- 5.21.02 Authorization by Sharon Taylor, executor of the estate of Hazel Gipple, to Natale Development and their attorneys, Damon Morey, to file an application for rezoning.
- 5.21.03 Memo from Kevin E. Loftus, Deputy Town Attorney, regarding restrictive covenants with respect to the Harris Hill Golf Course project.
- 5.21.04 Minutes from ZBA meeting of 5/8/14.
- 5.21.05 Notice of SEQR to be held 5/21/14.
- 5.21.06 Memo from Terrence McCracken, General Crew Chief, with comments regarding Springhill Suites.
- 5.21.07 SEQR response from NYSDEC regarding rezone petition for 375 & 391 Harris Hill Rd.
- 5.21.08 Minutes from MRC Meeting of 5/19/14.

## ACTION ITEMS -

REZONE PETITION – NATALE BUILDING CORP. IS PRESENTING AN APPLICATION TO REZONE +/- 32.4 ACRES OF LAND LOCATED AT 375 & 391 HARRIS HILL ROAD 82.03-2-11.1 & 82.03-2-15 FROM R-1 (RESIDENTIAL DISTRICT 1) TO MULTI-FAMILY RESIDENTIAL DISTRICT FOUR (MFR4). PROPOSED REZONE SITE PLAN APPROVAL FOR SENIOR HOUSING OF 175 APARTMENT UNITS AND 10 SINGLE FAMILY LOTS.

Attorney Jeff Palumbo, Damon Morey and Engineer Jess Sudo presented to the Planning Board the rezone petition for the 32.5 acre parcel located at 375 & 391 Harris Hill Road with current R-1 zoning. Proposed zoning is MFR4 for 175 apartments for senior housing and 10 single-family lots. . Mr. Palumbo referred to the Town's Master Plan which he stated calls for diversity of housing. This project will be age restricted for those 55+. Mr. Palumbo told the Planning Board that the proposed three-story apartment buildings will be energy efficient and will have elevators. The apartment buildings will be setback 560 feet from Harris Hill Road; the single-family homes will be setback 400 feet from Harris Hill Road. The proposed plan shows 354 parking spaces which meets code requirements. The current plan has a density of 5.6 units per acre and 54% open space. Mr. Palumbo also stated that the proposed traffic generated by this project would be less than that for an R-1 subdivision of about 100 homes. The following items were discussed:

Wetlands – Town Engineer Robert Harris told the applicant that he had a copy of the most recent wetland map for this parcel and according to that map the 3 apartment buildings located on the rear of the parcel are located in the wetlands. Mr. Suto and Mr. Palumbo stated that they were not aware this current wetlands map, and that the proposed plan can be changed to re-align the 3 rear buildings to be outside the wetlands and the buffer.

Sewers – The sewers for this project would need to tie in at Genesee Street which would require going under the NYS Thruway. A permit will be required from NYS.

Density – Although the single-family homes will lower the density of this project, the Planning Board was concerned with a MFR4 project being built on a collector road. Also, if this were to be an R-1 subdivision the Planning Board did not think that 100 homes would be allowed to be built due to the wetlands on this parcel.

Traffic – The Planning Board stated that Harris Hill Road is currently a heavily congested traffic road at peak hours and that this project would exacerbate the situation. The three existing homes on the west side of Harris Hill Road in this area would have trouble exiting their driveways.

Need for this type of project – It was pointed out that Lancaster Towers has a 20% vacancy rate. Is there really a need for senior housing? Mr. Palumbo stated that the need for senior housing is cyclical and even though there are vacancies at Lancaster Towers, the need for this type of housing in Lancaster is there.

Hamlet of Bowmanville – There was some discussion regarding the effect that this project will have on the Hamlet of Bowmanville and Genesee Street. The Planning Board stated that this project does not fit in with the character of that area.

Community resources - Mr. Palumbo told the Planning Board that community resources would not be necessary for this project since there would be no school children, and that plowing, and garbage pick-up would be private. Council Member Stempniak stated that the Volunteer Fire Dept. could be impacted with first aid calls for this type of project.

Council Member Donna Stempniak asked why this project is not being proposed as an MFR-3. Mr. Sudo stated that with the 5.6% density, this project can be MFR-3.

## DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Lawrence Korzeniewski to recommend to deny the rezone petition to the Town Board with the following comments:

1.) Project not in character with neighborhood (Hamlet of Bowmansville). 2.) Project will exacerbate traffic situation on Harris Hill Road and will effect Genesee Street in Bowmansville. 3.) Increase in density. 4.) Concerns with floodplains and wetland delineation. Motion seconded by Rebecca Anderson and duly carried. Roll call vote as follows:

Chair Connelly - Yes

Rebecca Anderson - Yes

Anthony Gorski - No

Joseph Keefe - Yes

Lawrence Korzeniewski - Yes

Kristen McCracken - Yes

Melvin Szymanski - Yes

REVISED REZONE PETITION – THE FAIRWAYS AT LANCASTER IS PRESENTING AN APPLICATION TO REZONE NORTH SIDE OF GENESEE STREET APPROXIMATELY 700' WEST OF HARRIS HILL ROAD (SBL: 82.18-1-36 AND SBL: 82.19-5-5.1) FROM R-1 (RESIDENTIAL DISTRICT) AND RCO (RESIDENTIAL COMMERCIAL OFFICE ) TO MFR4 (MULTI-FAMILY RESIDENTIAL). PROPOSED REZONE SITE PLAN APPROVAL FOR MULTIPLE UNIT APARTMENT BUILDINGS OF VARYING SIZES COMPRISING OF 2-STORY BUILDINGS WITH 184 TOTAL UNITS.

Attorney Jeff Palumbo and engineer Jess Sudo presented to the Planning Board the revised rezone petition for The Fairways at Lancaster located on the north side of Genesee Street approximately 700' west of Harris Hill Road. Current zoning is R-1 and RCO. Proposed zoning is MFR4 for multiple unit apartment buildings. Mr. Palumbo told the Planning Board that the project has 168 total units. The revised plan shows a changed entrance with a traffic circle within the project and additional trees along the entrance with architectural lighting. The revised plan also shows a reduced development area with 2-story apartment buildings. Mr. Palumbo stated that the Town's Master Plan calls for a diversity in housing and that apartments in this area provide a diversity. Mr. Sudo stated that this project will provide drainage improvements to this area with a substantial buffer area. Mr. Palumbo stated that there have been two neighborhood meetings held and that they will continue to meet with the residents of the area. The following items were discussed:

Drainage – The Planning Board stated that they cannot tell what drainage/stormwater management will be from this proposed plan. Mr. Sudo explained that the existing pond will be expanded to 4 times its current size. The Planning Board stated that the existing pond lies in a 100-year floodplain and that this area floods in the spring and the fall. It was also stated that the Town Board strongly discourages the expansion of this pond in a flood area.

Community resources – Mr. Palumbo stated that community resources would be very minimal for this project since there will be few school-aged children, and that snowplowing and garbage pick-up will be private.

Traffic – The Planning Board stated that the already congested traffic situation on Genesee Street between Transit Road and Harris Hill Road will be exacerbated by this project. Mr. Palumbo stated that traffic improvements are possible for this area with either an enhanced shoulder on Genesee Street or a left-turn lane.

Hamlet of Bowmansville – The Planning Board stated that this project is not in character with the immediate neighborhood and is not consistent with the architecture and R-1 in the Hamlet of Bowmansville.

## DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Lawrence Korzeniewski to recommend to deny the revised rezone petition to the Town Board with the following comments:

1.) Project is not in character with the immediate neighborhood (Hamlet of Bowmansville). 2.) Project not consistent with architecture and R-1 in Bowmansville. 3.) Project will exacerbate traffic situation on Genesee Street in Bowmansville. 4.) Concerns with flooding issues in the Bowmansville area. Motion seconded by Rebecca Anderson and duly carried.

Roll call vote as follows:

Chair Connelly - Yes

Rebecca Anderson - Yes

Anthony Gorski - Yes

Joseph Keefe - Yes

Lawrence Korzeniewski - Yes

Kristen McCracken - Recused

Melvin Szymanski - Yes

At 9:18PM a motion was made by Melvin Szymanski to adjourn the meeting. Motion seconded by Kristen McCracken and unanimously carried.